

### REMARKS

Claims 28, 30, 32 and 33 are currently pending in the subject application upon entry of the amendments. Claims 28, 30, 32 and 33 have been amended to disclaim the cited art and claims 1-27, 29, 31, and 34 have been cancelled without prejudice as shown on pages 2-3 of the Reply. No new matter has been added. Favorable reconsideration is respectfully requested in view of the amendments and following comments.

#### **I. The Clarity Rejection**

Claims 1-2, 7-9, 27 stand rejected under 35 U.S.C. §112, second paragraph, for indefiniteness. The subject claims have been cancelled rendering the rejection moot.

#### **II. The First Novelty Rejection**

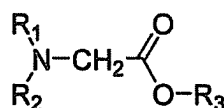
Claims 1-2, 7-9, 27 stand rejected under 35 U.S.C. §102(b) over Kyowa et al. CA 79:22615a or CA93:210106. The subject claims have been cancelled rendering the rejection moot.

#### **III. The Second Novelty Rejection**

Claims 1-2, 7-9, 28-29, 32-34 stand rejected under 35 U.S.C. §102(b) over Yu et al. US 6,824,786. Claims 1-2 and 7-9 have been cancelled rendering the rejection moot for these claims.

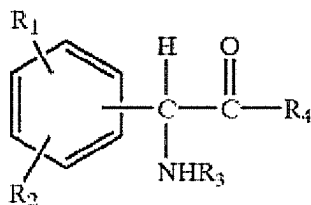
Yu relates to the use of a phenyl-glycine compound or a derivative thereof (col. 2, line 30) for disturbed keratinization (col. 4, lines 1-2) or improving skin pores.

In order to establish anticipation, a single cited art document must disclose each and every element of the subject claims. Claim 27 recites *a method of shrinking a skin pore or inhibiting parakeratosis comprising, using a glycine derivative represented by general formula (1):*



(1)

Yu fails to disclose the above elements of claim 27. In particular, the phenyl-glycine compound disclosed in Yu is a compound that is different from the glycine derivative represented by general formula (1). In Yu, the phenyl glycine derivative is represented by the following formula:



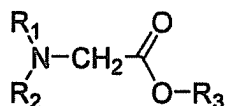
In view of the above, applicants representative respectfully submits that Yu fails to disclose each and every element of the subject claims. Accordingly, withdrawal of the rejection of claim 27, and claims 30, 32 and 33 which depend therefrom, is respectfully requested.

#### IV. The Third Novelty Rejection

Claims 1-2, 7-9, 28-29, 32-34 stand rejected under 35 U.S.C. §102(b) over JP11-158055. Claims 1-2 and 7-9 have been cancelled rendering the rejection moot for these claims.

JP11-158055 relates to a skin lotion comprising (1) a 2-hydroxy-fatty acid, (2) a mixture of sugar isomerized by activating an alkali hydroxide solution, (3) chitosan or a derivative thereof, and (4) an amino acid or a derivative thereof. Glycylglycine and the like are taught as specific examples of the amino acid of (4).

In order to establish anticipation, a single cited art document must disclose each and every element of the subject claims. Claim 27 recites *a method of shrinking a skin pore or inhibiting parakeratosis comprising, using a glycine derivative represented by general formula (1):*



(1)

JP 11-158055 fails to disclose the above elements of claim 27. According to JP 11-158055, the (1) 2-hydroxy fatty acid is a main medicinal ingredient, and the (4) amino acid or derivative thereof is added to alleviate skin irritation caused by the 2-hydroxy fatty acid. In the claimed invention, the glycine derivative represented by general formula (1) is used to yield a parakeratosis-inhibiting effect or a pore-shrinking effect, and is not added in order to alleviate skin irritation.

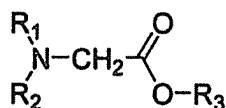
In view of the above, applicants representative respectfully submits that JP11-158055 fails to disclose each and every element of the subject claims. Accordingly, withdrawal of the rejection of claim 27, and claims 30, 32 and 33 which depend therefrom, is respectfully requested.

#### V. The Fourth Novelty Rejection

Claims 1-2, 7-9, 28-29, 32-34 stand rejected under 35 U.S.C. §102(a) or (e) over Katsuta et al. (WO2003/099327 or US 2005/0152930). Claims 1-2 and 7-9 have been cancelled rendering the rejection moot for these claims.

Katsuta relates to using an antagonist to an excitatory cell receptor or an agonist to an inhibitory cell receptor for inhibiting parakeratosis and shrinking pores, and also describes glutamic acid and glycine as specific examples of an antagonist to an excitatory cell receptor or an agonist to an inhibitory cell receptor.

In order to establish anticipation, a single cited art document must disclose each and every element of the subject claims. Claim 27 recites *a method of shrinking a skin pore or inhibiting parakeratosis comprising, using a glycine derivative represented by general formula (1):*



(1)

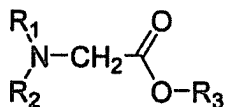
Katsuta fails to disclose the above elements of claim 27. According to Katsuta, the glutamic acid and glycine and the glycine derivative represented by general formula (1) of the present invention are different compounds. Further, there is no suggestion in Katsuta that the glycine derivative represented by general formula (1) of the claimed invention is used for a parakeratosis-inhibiting effect or a pore-shrinking effect.

In view of the above, applicants representative respectfully submits that Katsuta fails to disclose each and every element of the subject claims. Accordingly, withdrawal of the rejection of claim 27, and claims 30, 32, and 33 which depend therefrom, is respectfully requested.

#### VI. The Obviousness Rejection

Claims 1-2, 7-9, 27-34 stand rejected under 35 U.S.C. §103(a) over JP 11-158055 in view of CA131:35667. Claims 1-2 and 7-9 have been cancelled rendering the rejection moot for these claims.

As discussed above, JP 11-158055 fails to disclose *a method of shrinking a skin pore or inhibiting parakeratosis comprising, using a glycine derivative represented by general formula (1):*



(1)

as recited in claim 27. CA131:35667 fails to make up for the deficiency of JP 11-158055 with respect to the aforementioned elements of claim 27. Accordingly, the

combined art fails to render claim 27 obvious. Thus withdrawal of the rejection of claim 27, and claims 30, 32 and 33 which depend therefrom, is respectfully requested.

**VII. Petition for Extension of Time**

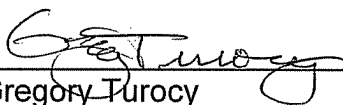
A request for a three month extension of time is hereby made. Payment is being made through the EFS electronic filing system.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [IKUTP106US].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

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